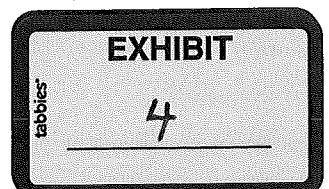


# TRANSCRIPT OF PROCEEDINGS 5/8/2012 & 5/9/2012

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1 (Pages 1 to 4)



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<p style="text-align: right;">Page 257</p> <p>1 not have been able to fill the position as soon as October.  2 And I think your answer was you agreed?  3 A Right. You asked if the position were started in  4 September, it wouldn't be filled by October and my answer  5 was, yes, sir.  6 Q On Page 5 of your statement?  7 JUDGE NIEHOFF: Are you talking back his affidavit?  8 MR. GARFIELD: His affidavit, yeah. His statement.  9 It's one of the last questions there.  10 JUDGE NIEHOFF: That's in Tab?  11 MR. BRIDENHAGEN: E-3.  12 MR. GARFIELD: E-3.  13 Q (By Mr. Garfield) And you were asked the question  14 by the Investigator about whether you had any knowledge that  15 any of the GS-15 senior analyst positions --  16 A Right.  17 Q -- were outside of the regional offices?  18 A Right.  19 Q And I think your response was that you thought  20 there were a few?  21 A Yeah, I said I believe that. I'm not sure that's  22 accurate because the question was GS-15 and I have no idea  23 what GS level people are that aren't working in the office.  24 But Cindy Beck, who is our personnel person, indicated to me  25 that, you know, some of the people are not actually rated as</p>	<p style="text-align: right;">Page 259</p> <p>1 A Right.  2 Q What was your concern there?  3 A Her answer was simply that she wanted to be  4 promoted.  5 Q Now, wasn't there really more to her answer than  6 that?  7 A That's what I wrote down. I'm not, you know, Miss  8 Gargula is a precise note taker, but I write impressions  9 based on what I hear. And what I heard and what I wrote down  10 was she wanted to be promoted.  11 Q Didn't she also go into all her qualifications?  12 A She -- yeah, I think she said what she did. She  13 kind of gave us a laundry list of those things that she did  14 in her bankruptcy analyst position.  15 Q Okay. And let's go back on Page 13.  16 A Sir, thirteen on my --  17 Q Thirteen -- Page 13.  18 A All right.  19 Q On your notes. And now, you had testified earlier  20 about some of the -- some of what Miss Moore said about  21 how -- being concerned whether it would all be a good fit for  22 her?  23 A No. My question was -- not to interrupt you, but  24 my question was how do you plan to handle the Kansas City  25 field office analyst duties from St. Louis. And she said she</p>
<p style="text-align: right;">Page 258</p> <p>1 senior bankruptcy analysts when they're not in the regional  2 office because they don't have all the duties of a senior  3 bankruptcy analyst. I think in some -- and I learned that  4 after I did this, but I think in some offices those people  5 will have a part of the senior bankruptcy analyst duties, but  6 not all of them.  7 But I'm certainly no expert on senior bankruptcy  8 analyst. I just tried to answer the question. And I  9 wouldn't know what their GS levels were. I mean Miss Beck  10 would know that I would assume. And as I said, I'm not sure  11 because I'm not sure every region has a senior bankruptcy  12 analyst.  13 Q Now, does every -- Isn't it true that every region  14 doesn't have a senior analyst?  15 A Yeah, I don't know that they all do.  16 Q Let's go back to E-8. And I'm going to ask you to  17 kind of keep your finger on the questions that are on Page 1  18 and 2 and your notes which start I believe on Page 9.  19 A Page 9, okay.  20 Q Yeah. I mean the notes part. I think I got the  21 page right.  22 A Okay, I have it.  23 Q Now, as I understand it one question that gave you  24 concern was Miss Moore's response to the question why are you  25 interested in the position?</p>	<p style="text-align: right;">Page 260</p> <p>1 wouldn't take if not a good fit, for me money's not  2 everything, she'd have to do some soul searching, she thinks  3 the job would work for her. And that was what my impression  4 was. She wasn't saying I plan to come to Kansas City, but  5 that it was still some issue up in the air.  6 Q Wasn't the question more in the nature is there a  7 reason why you would not take the job?  8 A No, my question is -- my question was how will you  9 handle those duties from St. Louis. And I felt that that  10 answer was not responsive to that question.  11 Q Let's look at Page 7, which are part of Miss  12 Gargula's notes. Now, you say that she is much more of a  13 detail person, right?  14 A Right.  15 Q And she takes much more precise notes than you  16 do?  17 A Right.  18 Q And wouldn't you say that, you know, just looking  19 at what you wrote down and what she wrote down that her notes  20 are more detailed than yours?  21 A She has more words in there than mine have, yes.  22 Q And it says in there it says a reason not to take  23 the position, right?  24 A Uh-huh.  25 Q It doesn't say anything about doing it from Kansas</p>

65 (Pages 257 to 260)